IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 24TH OCTOBER 2007 / 2ND KARTHIKA 1929

Bail Appl..No. 6490 of 2007

(CRIME NO. 1609/2007 OF ALUVA POLICE STATION)

PETITIONER

ROBIN,
AGED 23 YEARS, S/O. VARGHESE,
THARAYIL HOUSE, NEAR ASHOKA COMPANY,
ASHOKA PURAM,ALUVA.

BY ADV. SRI.S.RAJEEV

RESPONDENTS: RESPONDENTS

STATE OF KERALA
REP. BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA
ERNAKULAM CRIME NO. 1609 OF 2007)
OF ALUVA POLICE STATION)

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24/10/2007,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.6490 of 2007

Dated this the 24th day of October 2007

O R D E R

Application for regular bail. The petitioner is the third accused. Altogether there are seven accused persons. Accused 1 to 4 were allegedly present in a car in which 11 litres of arrack was being transported. Accused 5 and 6 are allegedly the persons who supplied arrack to accused 1 to 4 and seventh accused is the registered owner of the vehicle. The allegation is that the vehicle was driven in a rash and negligent manner by the first accused. It ran over three pedestrians. Two of them succumbed to the injuries. The third suffered serious injuries. The vehicle did not stop. It was allegedly abandoned and the accused escaped. Investigation is in progress. The petitioner was arrested on 18/9/2007. Investigation is not complete yet.

2. As against the petitioner, the allegation can only be that he, along with the others kept in his possession in the car 11 litres of arrack. Of course, the learned Public Prosecutor submits that the petitioner's culpable responsibility of not stopping the vehicle immediately after the accident.

3. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that the petitioner, who has remained in custody from 18/9/2007 and who has no criminal antecedents, can now be enlarged on bail subject to appropriate terms and conditions:

4. In the result, this petition is allowed. The petitioner shall be released on bail on the following terms and conditions:

i) He shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

ii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays, for a period of two months and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007